

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X	
JOSEPH WELCH, On Behalf of Himself	:
and All Others Similarly Situated,	:
	:
Plaintiffs,	:
	:
v.	:
	:
TD AMERITRADE HOLDING CORPORATION,	:
TD AMERITRADE, INC, TD BANK USA, N.A.	:
and THE TORONTO-DOMINION BANK,	:
	:
Defendants.	:
-----X	

**Civ. No. 07-6904 (RJS)**

**ECF CASE**

**DECLARATION OF JOEL P. LAITMAN IN SUPPORT OF PLAINTIFF'S  
MEMORANDUM OF LAW IN OPPOSITION TO DEFENDANTS' MOTION  
FOR DISMISSAL OF THE PLAINTIFF'S CLASS ACTION COMPLAINT**

JOEL P. LAITMAN, pursuant to 29 U.S.C. § 1746 declares as follows:

I am a member of the Bar of this Court and the law firm of Schoengold Sporn Laitman & Lometti, P.C., counsel for the Plaintiff. I submit this declaration to place before the Court a true and correct copy of the following document:

1. Excerpts from TD Ameritrade, Inc.'s Form ADV: "Uniform Application for Investment Advisor Registration," filed with the Securities and Exchange Commission ("SEC"), dated November 30, 2007.

I declare under penalty of perjury that the foregoing is true and accurate.

Executed: New York, New York  
March 14, 2008

/s/ Joel P. Laitman  
Joel P. Laitman